

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

**ROBERT EMMA, Custodian, IRA, DTD
7/10/97,**

Plaintiff,

VS.

Civil Action No. 04-CV-12106 NMG

**RS INVESTMENT MANAGEMENT, L.P.,
PFPC DISTRIBUTORS, INC., G.
RANDALL HECHT, LEONARD B.
AUERBACH, JEROME S. CONTRO,
JOHN W. GLYNN JR. and MICHAEL
MCCAFFERY,**

Defendants, and

RS EMERGING GROWTH FUND,

Nominal Defendant.

**ASSENTED TO MOTION FOR AN EXTENSION OF TIME TO RESPOND TO
DEFENDANTS' MOTIONS TO DISMISS AND MOTION TO TRANSFER**

Plaintiff Robert Emma, with the consent of all defendants, moves to extend the time for plaintiff to respond to Defendants' Motions to Dismiss and Motion to Transfer until May 17, 2005, and for Defendants to reply until June 10, 2005.

Dated: May 12, 2005

Submitted by the attorneys for the Plaintiff,

/s/ Michelle H. Blauner

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